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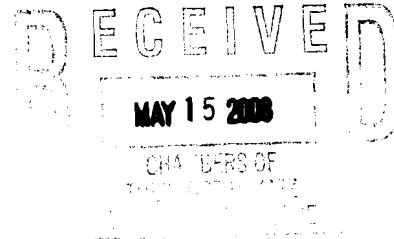
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# MEMO ENDORSED

May 14, 2008

Via Facsimile - (212) 805-7932

Hon. Theodore H. Katz  
United States Magistrate Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St., Room 1660  
New York, NY 10007



Re: Roydel Howe v. The City of New York, et al.  
Docket No. 07 Civ. 6079 (LTS) (THK)

Dear Judge Kaplan:

I am an Assistant Corporation Counsel in the Office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for defendants the City of New York and the New York City Administration for Children's Services in the above-referenced action. Plaintiff alleges employment discrimination in violation of the Age Discrimination in Employment Act and Title VII of the Civil Rights Act of 1964. I write on behalf of the parties to respectfully request an extension of the time to complete discovery from May 19, 2008 to June 17, 2008. I have previously conferred with *pro se* plaintiff, Roydell Howe and he joins in the instant request. This is the parties' second request for an extension of time to complete discovery.

In particular, the parties have exchanged Initial Disclosures and defendants have served their 1<sup>st</sup> Set of Interrogatories and Request for Documents and plaintiff provided documents in response to this request. However, plaintiff failed to respond to defendants' interrogatories. I will confer with plaintiff to address this deficiency. Defendants noticed plaintiff for a deposition and plaintiff noticed a deposition of a former employee of the Administration for Children's Services. As plaintiff's noticed witness is no longer an employee of defendant, it took some time to locate him, however, the witness has been located and will be made available for a deposition. The parties will work to conduct depositions during the first

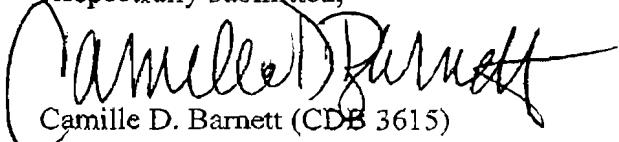
week of June. Although plaintiff claims that he served discovery requests, other than plaintiff's Notice of Deposition, this office has not received said request. I will discuss this with plaintiff and obtain and respond to plaintiff's requests prior to depositions. Additionally, I have forwarded the mediation form to plaintiff for his execution.

Finally, counsel has significant time constraints which occupy much of my schedule. In particular, I have a hearing before the NYS Division of Human rights scheduled for May 28<sup>th</sup> and May 29<sup>th</sup> in the matter of Sweeney v. City of New York, et al. (Case No. 10118163), for which I must prepare. I have also completed a motion for summary judgment in the case of Vilma Woodsley v. New York City Dept. of Education, 05 CV 4339 (ERK) (LB), which was served on May 5, 2008 and must reply to a motion for summary judgment by May 30<sup>th</sup> in the case of Garrett v. New York City Board of Education, et al. 05-Civ.-1650 (SJF)(RER) and have conducted several depositions in the case of Lewter v. City of New York, et al., in Supreme Court, Kings County Index No. 24725/06. Furthermore, in April, I was preparing a case for trial in the case of Garrett v. New York City Board of Education, et al. 05-Civ.-1650 (SJF)(RER), which did not go forward on April 14, 2008 as previously scheduled.

For the foregoing reasons, the parties respectfully request an extension of time until June 17, 2008 to complete discovery in this action.

Thank you for your consideration of this request.

Respectfully submitted,

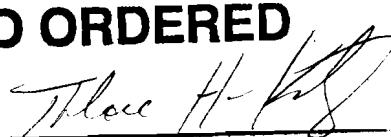
  
Camille D. Barnett (CDB 3615)  
Assistant Corporation Counsel

cc: Via First Class Mail  
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Plaintiff Pro Se  
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Jamaica, New York 11432

*The discovery deadline is  
extended to June 17, 2008.*

**SO ORDERED**

5/15/08

  
THEODORE H. KATZ  
UNITED STATES MAGISTRATE JUDGE